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August 6, 2024

Hon. Kenneth M. Karas
United States District Court
United States Courthouse
300 Quarropas Street, Chambers 533
White Plains, New York 10601-4150

Re: Justin C. Amendola (et. al.) v. Nadia F. Cavellero
[US Dist. Ct., So. Dist. N.Y. Case No: 7:23-cv-10607-KMK]

Dear Most Honorable Judge Karas:

This office represents Defendants Nadia F. Cavellero, Robert N. Amendola and Anna Vecchio, in connection with the above referenced action.


Pursuant to this Court's Motion Scheduling Order dated April 2, 2024, Plaintiffs were required to "turn over to Defendants any documents or materials they intend to rely on to establish jurisdiction by June 2, 2024."

Thereafter Plaintiff sent six (6) documents by email on Sunday, June 2, 2024 at 12:59:25 PM, and none of them included the Death Certificate of John Amendola. However, in Plaintiff's Opposition to the Defendant's motion to dismiss, Plaintiff submitted a copy of the Death Certificate of John Amendola and heavily relied upon on it to establish jurisdiction. To make matters worse, Plaintiff submitted an outdated version of the Death Certificate, rather than the most recent, updated and corrected version.

While the rules generally prevent new documents from being included in a Reply submission, I respectfully request permission that would allow Defendants to submit the most recent, updated and corrected version of the Death Certificate in conjunction with the Reply which is due no later than August 16, 2024.

Trusting all meets with this Court's consent and approval, I remain,

Most Respectfully Yours,


Rocco F. D'Agostino, Esq.

cc: Gary M. Krim, Esq.
Attorney for Plaintiff